

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

CONCERNED TOW OPERATORS)
OF KANSAS CITY, et al.,)
)
Plaintiffs,)
)
vs.)
)
CITY OF KANSAS CITY, MISSOURI,)
et al.,)
)
Defendants.)

Case No. 12-1328-CV-W-ODS

ORDER AND JUDGMENT ON STIPULATION

Pursuant to the Parties' Stipulation of Judgment (Doc. # 50), which is incorporated herein by reference, the Court enters judgment as follows:

Plaintiffs and Defendants concede that this Court has subject matter jurisdiction of this action and that, by agreeing to the Stipulation of Judgment, they voluntarily consent to this Court exercising jurisdiction over their persons and all issues and claims raised in the litigation.

Plaintiffs and Defendants agree that all claims raised in all counts of the Complaint are dismissed with prejudice.

Each party shall be responsible for their respective attorney's fees and discretionary costs.

Plaintiffs and Defendants agree that the Stipulation of Judgment is intended to and will extinguish all claims raised in all counts of the Complaint and is a final determination on the merits against Plaintiffs and for Defendants of all claims or issues raised in all counts of the Complaint or in the Defendants' Motion for Summary Judgment.

Plaintiffs and Defendants further agree that all actual or potential claims of any Plaintiffs against any Defendants, whether raised in a paper filed with the Court or not, and regardless of whether known or unknown by any Plaintiffs, are merged into the judgment stipulated hereto and extinguished by that judgment.

Plaintiffs and Defendants further agree the Stipulation of Dismissal shall have full preclusive effect, including under *res judicata* and collateral estoppel principles, as if all claims or issues raised in all counts of the Complaint or in the Defendants' Motion for Summary Judgment were finally determined on the merits by a judgment entered on trial findings for Defendants and against Plaintiffs on all claims or issues raised in all counts of the Complaint or in the Defendants' Motion for Summary Judgment.

IT IS SO ORDERED.

DATE: February 21, 2014

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT